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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/739,886	12/17/2003	Robert Hornung	IND-114.1	9692
20028	7590	02/09/2005	EXAMINER	
Lipsitz & McAllister, LLC 755 MAIN STREET MONROE, CT 06468			GREEN, CHRISTY MARIE	
			ART UNIT	PAPER NUMBER
			3635	
DATE MAILED: 02/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Allowability**

Application No.

10/739,886

Applicant(s)

HORNUNG, ROBERT

Examiner

Art Unit

Christy M Green

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 11/15/04.
2.  The allowed claim(s) is/are 1-9.
3.  The drawings filed on 15 November 2004 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 2/4/05
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

This is a second office action for serial number 10/739886, entitled Window Sash Frame with hinged components, filed on December 17, 2003.

### ***Response to Amendment***

In response to the examiner's office action dated September 29, 2004, the applicant has amended the specification and drawings.

### ***Allowable Subject Matter***

Claims 1-9 are allowed.

The following is an examiner's statement of reasons for allowance: within claim 1, prior art does not disclose a window sash having an inner facing frame surface extending around the sash with a first and second glazing pane mounting surface that extend from the inner facing frame surface in combination with a first and second hinged component extending over the length of the sash frame and being hingedly attached to the inner facing frame surface or the first and second pane.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christy M Green whose telephone number is 703-308-9693. The examiner can normally be reached on M-F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

(Cg)  
Cg  
February 2, 2005



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600

<b>FORM PTO-1449</b>		<b>NOV 26 2004</b>	<b>ATTY. DOCKET NO.: IND-114.1</b>	<b>SERIAL NO.: 10/739,886</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>APPLICANT(S): R. Hornung</b>			
(Supplemental)		<b>FILING DATE:</b> December 17, 2003		<b>GROUP:</b>	
<b>U.S. PATENT DOCUMENTS</b>					
<b>EXAMINER INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>
<i>Qn</i>	AA	6,477,812	11/12/2002	Boone et al.	( )
<b>FOREIGN PATENT DOCUMENTS</b>					
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>					
<b>EXAMINER</b>	<i>Charly Jn</i>		<b>DATE CONSIDERED</b>		<i>1/31/05</i>
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

R. Hornung

Application No.: 10/739,886

Filed: December 17, 2003

For: WINDOW SASH FRAME WITH HINGED COMPONENTS

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 23, 2004.

By: *Carol Prentice*  
Carol Prentice

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicant wishes to call the attention of the Examiner to the following reference:

U.S. PATENT(S) :

Patent No.

Patentee

Date of Issue

6,477,812

Boone et al.

Nov 12, 2002

A copy of the above-listed reference is enclosed, together with a completed form PTO-1449.

This Information Disclosure Statement is being submitted after the receipt of the first Office Action in this application, but prior to the mailing date of a final action or notice of allowance. The fee of \$180.00 as set forth in §1.17(p) is enclosed (37 C.F.R. §1.97(c)).

11/30/2004 MMKONEN 00000043 10739886

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The submission of the listed document is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



---

Barry R. Lipsitz  
Attorney for Applicant(s)  
Registration No. 28,637  
755 Main Street, Bldg. 8  
Monroe, CT 06468  
(203) 459-0200

**Date: November 23, 2004**  
**ATTORNEY DOCKET NO.: IND-114.1**

**TC3600**

**GRK**

Bldg./Room

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